BILL NO. S-90-11-21

SPECIAL ORDINANCE NO. S-285-90

AN ORDINANCE approving the awarding of Reference #961 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and **DETROIT LIME** for the Three Rivers Filtration Plant.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That Reference #961 between the City of Fort Wayne, by and through its Department of Purchasing and **DETROIT LIME** for the Three Rivers Filtration Plant, respectfully for:

> **the purchase and delivery of pebble lime for 1991 for the Three Rivers Filtration Plant;**

involving a total cost of Nine Hundred Five Thousand Seven Hundred and no/100+/- Dollars ($905,700.00+/-), all as more particularly set forth in said Reference #961 which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Councilmember

APPROVED AS TO FORM
AND LEGALITY

J. Timothy McCaulay, City Attorney

REF NO.:	961
DEPT.:	FILTRATION PLANT
DATE:	11/7/90
ITEM/SERV.:	PEBBLE LIME

PURCHASING INFORMATION

ADVERTISED BID:	YES
DATES ADVERTISED:	10/2/90 & 10/9/90
OPENING DATE:	10/25/90
WRITTEN QUOTE:	
DUE DATE:	
VERBAL QUOTE:	
SINGLE SOURCE:	
NO. OF VENDORS NOTIFIED:	16
NO. OF VENDORS RECEIVING BID:	6
NO. OF VENDORS RETURNING BID:	3
NO. OF VENDORS DISQUALIFIED:	1
NO. OF VENDORS NOT RESPONDING:	13
DATE SENT TO DEPT. FOR RECOMM.:	10/25/90
DATE RECOMMENDATION REC'D IN PURCH:	10/31/90
COUNCIL INFORMATION	DATES SENT EXTENSION DATES
DATE INFO SENT TO LAW DEPT.:	11/7/90
INTRODUCTION DATE:	11/13/90
DISCUSSION DATE:	11/20/90
PASSAGE DATE:	11/27/90
ORDINANCE NO.:	

AMOUNT APPROVED AND/OR SPENT LAST YEAR:
(IF APPLICABLE)

REFERENCE NO. 961
PEBBLE LIME
FILTRATION PLANT

DESCRIPTION	MISSISSIPPI LIME	DETROIT LIME	MARBLEHEAD LIME
COST PER TON	$41.00	$42.00	$43.00
FRGHT TRUCK	$28.00	$18.38	$15.00
DEMURRAGE	*	N/B	N/B
FRGHT RAIL	N/B	N/B	$13.00
DEMURRAGE	N/B	N/B	**
DELIVERY TIME	TWO (2) DAYS	ONE (1) DAY	***
TOTAL 15M TONS	$615,000.00	$630,000.00	$645,000.00
TOTAL FRGHT TRCK	$375,000.00	$275,700.00	$225,000.00
TOTAL FRGHT RAIL			$195,000.00
GRAND TOTAL BY TRCK	$990,000.00	$905,700.00	$870,000.00
GRAND TOTAL BY RAIL			$840,000.00

*$25.00 PER HOUR AFTER TWO (2) HOURS
**SUBJECT TO ICC REGULATIONS
***24 HRS BY TRUCK - 5 TO 6 DAYS BY RAIL

MEMORANDUM

TO: GLORIA GOEGLEIN
FROM: JEAN MOORE
DATE: November 7, 1990
RE: MARBLEHEAD LIME BID

DUE TO THE CONTINUAL PROBLEMS WITH MARBLEHEAD LIME AND THE INTERRUPTION OF SERVICE THAT HAS OCCURED DUE TO THEIR PRODUCT, WE CAN NO LONGER CONTINUE WITH THEIR SERVICES. SOME OF THE ITEMS, THAT CAN BE MENTIONED ARE AS FOLLOWS:
JANUARY 1989 - MEMO WAS SENT REGARDING OUT OF COMPLIANCE STATUS WITH REGARD TO THE AMOUNT OF INSOLUBLE GRIT IN THE PRODUCT. THIS GRIT IS PAID FOR SINCE WE ARE CHARGED ON A WEIGHT BASIS. IT IS USELESS MATERIAL THAT WE MUST DISPOSE OF. OUR GRIT COLLECTION BECAME 3x AS MUCH WITH THE CHANGING OF VENDORS TO MARBLEHEAD.

DURING 1989, MARBLEHEAD WAS OUT OF COMPLIANCE BY AWWA STANDARDS FOR LIME 61 TIMES. THE SUBSTANDARD QUALITY OF THE PRODUCT COST THE FACILITY IN HAVING TO USE MORE LIME TO CREATE A SATISFACTORY WATER TREATMENT. DUE TO THIS, WE CHOSE TO REBID RATHER THAN EXTEND THE BID TO MARBLEHEAD. UNFORTUNATELY, THEY WERE LOW BID AND WERE GRANTED THE BID.

ON FEBRUARY 27, 1990, I PERSONALLY WROTE TO MARBLEHEAD'S SALES REPRESENTATIVE INFORMING HIM OF THE CONTINUED SUBSTANDARD QUALITY OF THE PRODUCT. TO DATE THIS YEAR, THE PRODUCT HAS BEEN OUT OF COMPLIANCE A MINIMUM OF 25 TIMES. IN ORDER TO RECTIFY THIS SITUATION, I HAVE MET WITH MARBLEHEAD A MINIMUM OF 10 TIMES THIS YEAR AND HAVE PLACED AT LEAST AS MANY CALLS.

IN SPITE OF THEIR PROMISE TO PROVIDE A QUALITY PRODUCT, MOST RECENTLY THE QUALITY OF THE LIME HAS CAUSED TWO PLANT SHUTDOWNS. THE MOST RECENT OF THESE INCIDENTS WAS ON 11/2/90. MARBLEHEAD PERFORMS A PROCEDURE ON THEIR KILNS WHEN THEY BECOME UNABLE TO FUNCTION CALLED "SHOT." LITERALLY, THEY SHOOT INTO THE KILNS WITH AN EIGHT GUAGE SHOT GUN AND DISLODGE THE MATERIAL. THIS MATERIAL IS **NEVER** TO BE SOLD TO A COMPANY. WE UNFORTUNATELY WERE BROUGHT THIS MATERIAL. THE SIZE OF THE INSOLUBLE MATERIAL CLOGGED THE LIME MACHINES SO COMPLETELY IT FORCED THE PLANT INTO A 5 HOUR SHUTDOWN. WE ALSO SPENT WELL OVER $600.00 IN OVERTIME TO REPAIR THE MACHINES. THE MACHINES ALSO SUSTAINED MINOR DAMAGE THAT HAS YET TO BE ASSESSED. THE MATERIAL WHICH WAS REMOVED FROM THE MACHINES INCLUDED INSOLUBLE MATERIAL 4x THE SIZE OF THE LIME, CERAMIC COATING FROM THE KILN, AND ONE FULLY DISCHARGED SHOTGUN SHELL BUTT.

THEY WERE AWARDED THE BID IN 1990 ON GOOD FAITH THAT THEY WOULD RECTIFY THE QUALITY OF THE LIME BEING RECEIVED AT THIS FACILITY. IN SPITE OF MANY NUMEROUS ATTEMPTS BY MYSELF TO RECTIFY THE SITUATION, THE PROBLEMS CONTINUE AND INDEED ARE WORSE. WITH THIS SET OF FACTS, IT IS CLEAR OUR ONLY RECOURSE IS TO CHOOSE THE NEXT LOWEST BIDDER AND DISALLOW MARBLEHEAD AS OUR SUPPLIER OF LIME.

MEMORANDUM

TO: Neil H. Wisler, Acting Director/Operations

FROM: Jean M. Moore, Senior Analytical Chemist

DATE: January 30, 1989

RE: Marblehead Lime

On January 23, 1989, a % grit analysis (by weight) was performed. The results are as follows:

Date	Tank Car Number	% Grit
1/18/89	589256	3.54
1/18/89	589257	* 7.43
1/19/89	589258	* 12.24
1/19/89	589259	2.44
1/20/89	589266	3.57
1/21/89	589265	* 9.97

Due to the written content of the specifications sent out by the City of Fort Wayne, it does meet the criteria. It does not, however, conform to the specifications set by AWWA. I refer you to AWWA Document B202-83 "AWWA Standard for Quicklime and Hydrated Lime", Section 1.5(Basis for Rejection and Provision for Retesting), Paragraph 3.

This section specifically states no more than 5% insoluble material is allowed. As you can see from the results, 50% of the lime received to date is not in accordance with the specifications.

Due to the fact that our chemical treatment is performed on a gravimetric basis, it is my concern that this plant will be unable to accurately monitor the chemical feeding process of lime.

I can also testify to the fact that while the lime does meet both sets of specifications for the slaking test, it is not of the quality that we received from a previous vendor.

With these facts in mind, it is my recommendation that we consider our previous vendor.

Thank you for your consideration on this matter.

Sincerely,

Jean M. Moore
Senior Analytical Chemist

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THE CITY OF FORT WAYNE

Patty Coffelt
Purchasing
Fort Wayne, IN

RE: Reference # 858

Dear Patty:

Please be advised that due to the substandard quality of lime received by Marblehead Lime Company we no longer wish to continue with the bid currently in place.

Enclosed you will find a memo as well as a listing of all out of compliance samples received by our lab for 1989. As you can see, Marblehead has essentially been below standard for the majority of 1989.

In addition, it would be advisable to make the following modifications to Specification NO. CF-4-89:

1) Change item # 2A to read "Impurities - It shall be of the best quality of freshly burned lime and contain no greater than 5% unburned residue. It shall be completely free of foreign material and contain less than 2% Magnesium Oxide. (Foreign material shall be defined as any constituent other than Lime.)"

2) Change item #2B to read "Size - The lime shall be of the Pebble type and may range in size from ½ inch to 3/4 inch. No greater than 5% shall pass a #100 sieve."

3) Change item #2D to read "Slaking Test - The lime shall be of the quality known as "Quick Slaking" and shall show a temperature rise of at least 40°C (72°F) in 3 minutes. The slaking test shall be complete in no greater than 10 minutes."

4) Add to Section #2 Material Specifications - All specifications and regulations shall be conducted in accordance with the American Water Works Association Standard for Quicklime and Hydrated Lime, AWWA B202-88. Any variation between Section #2 of No. CF-4-89 and AWWA B202-88 will rely on the utilization of the most stringent specification.

5) Change item #1B to read "AWWA B202-88" from AWWA B202-77.

If I can be of further assistance in this matter, please contact me at (219) 427-1254 X 5341.

Sincerely

Jean M. Moore

JEAN M. MOORE SENIOR ANALYTICAL CHEMIST

The City of Fort Wayne

Purchasing Department
One Main Street/Room 350
Fort Wayne IN 46802
(219) 427-1101

November 7, 1989

Gerig's Trucking
Attn: Larry Gerig
3909 Limestone Dr
Fort Wayne IN 46809

Subject: Reference No. 858

Dear Mr. Gerig:

On September 27, 1989 our Department, upon approval of the Filtration Plant, and in accordance with page PS-2 of Reference No. 858 sent your Company a letter to extend the current contract for the shipping of pebble lime. Your Company responded with an acceptance letter of October 2, 1989.

Due to problems with the product, the Filtration Plant has rescinded their original offer of extension and has decided to bid this item as new. Your Company will be notified when specifications are ready.

If you have any questions, contact our office at the above number.

Sincerely,

Gloria J. Goeglein

Gloria J. Goeglein
Director of Purchases

cc: Jean Moore, Filtration Plant
File

THE CITY OF FORT WAYNE

February 27, 1990

John B. Worthington
Sales Representative
Marblehead Lime Co.
222 N. LaSalle Street
Chicago, Illinois 60601

Dear Mr. Worthington:

During the course of 1989, it was noted that with the exception of one month, Marblehead Lime did not meet the specifications set forth for quality lime. Marblehead was awarded the bid for 1990 with the agreement bid specifications would be met.

January 1990 analytical results show current shipments to be substandard in quality. A list of specific parameters which were out of compliance is enclosed. These analyses indicate a continued need for improvement.

As specified in the contract bid, specifications must be met. We anticipate that Marblehead will insure future lime shipments to be in compliance by April 1, 1990.

Sincerely,

Jean M. Moore

Jean M. Moore
Asst. Superintendent of
Research & Development

JMM:ls

enclosure

Read the first time in full and on motion by Burns, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on City Utilities (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock ____.M.,E.S.T

DATED: 11-13-90

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Burns, seconded by Talarico, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	7			2
BRADBURY	✓			
BURNS	✓			
EDMONDS	✓			
GiaQUINTA	✓			
HENRY				✓
LONG	✓			
REDD	✓			
SCHMIDT	✓			
TALARICO				✓

DATED: 11-27-90

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(ANNEXATION)~~ ~~(APPROPRIATION)~~ ~~(GENERAL)~~ (SPECIAL) ~~(ZONING MAP)~~ ORDINANCE RESOLUTION NO. S-285-90 on the 27th day of November, 19 90,

ATTEST: Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

SEAL

Marlen S. Reed
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of November, 1990 at the hour of 2:00 o'clock P.M.,E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 30th day of November, 19 90, at the hour of 8:45 o'clock P.M.,E.S.T.

PAUL HELMKE, MAYOR

DIGEST SHEET

TITLE OF ORDINANCE: SPECIAL

DEPARTMENT REQUESTING ORDINANCE: PURCHASING

SYSNOPSIS OF ORDINANCE: AN ORDINANCE APPROVING THE AWARD OF REF. NO. 961 FOR THE PURCHASE AND DELIVERY OF PEBBLE LIME FOR 1991 FOR THE THREE RIVERS FILTRATION PLANT. THE COST REFLECTS THE MOST RESPONSIVE OF THREE (3) VENDORS.

IF NOT LOWEST, WHO WAS AND WHY WERE THEY NOT AWARDED: LOWEST VENDOR HAS BEEN SENDING INFERIOR LIME.

S. 90-11-21.

EFFECT OF PASSAGE: THIS IS USED IN THE TREATMENT OF DRINKING WATER.

EFFECT OF NON-PASSAGE: WITHOUT THIS CHEMICAL, THE DRINKING WATER COULD NOT BE PROPERLY TREATED.

MONIES INVOLVED: DETROIT LIME $905,700.00+/-

PRICE AGREEMENT: YES

PURCHASE ORDER:

SOURCE OF FUNDING: FILTRATION PLANT 513-523-W154-4251

PRIOR APPROVAL: DATE:
(IF APPLICABLE)

BILL NO. S-90-11-21

REPORT OF THE COMMITTEE ON CITY UTILITIES

PAUL M. BURNS, CHAIRMAN
MARK E. GiaQUINTA, VICE CHAIRMAN
HENRY, LONG, TALARICO

WE, YOUR COMMITTEE ON CITY UTILITIES TO WHOM WAS

REFERRED AN (ORDINANCE) ~~(RESOLUTION)~~ approving the awarding of Reference #961 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and DETROIT LIME for the Three Rivers Filtration Plant

HAVE HAD SAID (ORDINANCE) ~~(RESOLUTION)~~ UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE) ~~(RESOLUTION)~~

DO PASS	DO NOT PASS	ABSTAIN	NO REC
[signature]			
[signature]			
[signature]			
[signature]			
C R Edmonds			
[signature]			
J Y Bradbury			

DATED: 11-27-90.

Sandra E. Kennedy
City Clerk